

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

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| UNITED STATES OF AMERICA |) | |
| |) | Criminal No.: 3:00-CR-400-P |
| v. |) | |
| |) | Judge Jorge A. Solis |
| MARTIN NEWS AGENCY, INC.; and |) | |
| BENNETT T. MARTIN, |) | |
| |) | FILED: May 25, 2001 |
| Defendants. |) | |

**MOTION FOR PRODUCTION OF RECIPROCAL DISCOVERY
PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 16(b)**

The United States moves this Court for an Order pursuant to Federal Rule of Criminal Procedure 16(b)(1)(A) and (B) requiring the defendants to permit the United States to inspect and copy:

1. All books, papers, documents, photographs, tangible objects, or copies or portions thereof which are within the possession, custody, or control of the defendants and which the defendants intend to introduce as evidence in chief at the trial; and
2. Any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with the particular case, or copies thereof, within the possession, custody, or control of the defendants, and which the defendants intend to introduce as evidence in chief at the trial or which were prepared by a witness whom the defendant intends to call at the trial when the results or reports relate to that witness' testimony.

In addition, pursuant to Federal Rule of Criminal Procedure 16(b)(1)(C), the United States requests that the Court order the defendants to provide the government with a written summary of any expert witnesses the defendants intend to call, including the witnesses' opinions, the bases

and reasons for those opinions, and the witness' qualifications.

The Court's amended scheduling Order required defendants to provide reciprocal discovery pursuant to Rule 16(b) by February 26, 2001. The defendants have not yet done so. The United States now requests that the Court order the defendants to produce to the government any and all reciprocal discovery on or before June 8, 2001. This will give the United States sufficient time to review the materials in preparation of trial and to raise any issues or concerns about the discovery at the pre-trial conference set for June 27, 2001.

Respectfully Submitted,

SCOTT M. WATSON
Chief, Cleveland Field Office

“/s/”
RICHARD T. HAMILTON, JR.
Ohio Bar Number--0042399

MICHAEL F. WOOD
District of Columbia Bar Number--376312

KIMBERLY A. SMITH
Ohio Bar Number--0069513

SARAH L. WAGNER
Texas Bar Number--24013700

Attorneys, Antitrust Division
U.S. Department of Justice
Plaza 9 Building, Suite 700
55 Erieview Plaza
Cleveland, OH 44114-1816
Telephone: (216) 522-4107
FAX: (216) 522-8332

CERTIFICATE OF CONFERENCE

This is to certify that the undersigned attorney conferred with Michael P. Gibson, counsel for Bennett T. Martin, on May 22, 2001, and is authorized to state that the Defendant Benett T. Martin opposes the Motion. The undersigned counsel left a telephone message with Richard A. Anderson, counsel for Martin News Agency, Inc., on May 22, 2001, advising him of the Motion. Mr. Anderson was not available to return the call.

SIGNED this 24th day of May, 2001.

“/s/”

RICHARD T. HAMILTON, JR.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent via Federal Express to the Office of the Clerk of Court on this 24th day of May, 2001. In addition, copies of the above-captioned pleading were served upon the defendants via Federal Express on this 24th day of May, 2001.

Richard Alan Anderson, Esq.
Burleson, Pate & Gibson, L.L.P.
2414 N. Akard, Suite 700
Dallas, TX 75201

Michael P. Gibson
Burleson, Pate & Gibson, L.L.P.
2414 N. Akard, Suite 700
Dallas, TX 75201

“/s/”

RICHARD T. HAMILTON, JR.